

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Joseph Carlis Carlisle, #24375-001) C/A No. 9:09-3240 DCN BM
)
Petitioner,)
)
-vs-)
)
United States of America;)
Mary Mitchell, Warden of FCI-Edgefield,)
)
Respondent.)
_____)

ORDER

This is an action seeking habeas corpus relief pursuant to 28 U.S.C. § 2241. The petitioner is a federal prisoner. This matter is before the court because of the petitioner's failure to comply with the magistrate judge's order (Entry No. 6) of January 4, 2010. A review of the record indicates that the magistrate judge ordered the petitioner to submit items needed to render this case into "proper form" by submitting a motion to proceed *in forma pauperis* and an amended petition on the court-approved Section 2241 form within twenty-one (21) days, and that if he failed to do so, this case would be dismissed *without prejudice*. The petitioner has failed to respond to the magistrate judge's order.

Accordingly, the above-captioned case is dismissed *without prejudice*. The Clerk of Court shall close this file.¹



February 3, 2010
Charleston, South Carolina

DAVID C. NORTON
UNITED STATES DISTRICT JUDGE

¹Under the General Order (Misc. No. 3:07-5014-JFA) filed on September 18, 2007, this dismissal *without prejudice* does *not* count as a "strike" for purposes of the "three strikes" provision of 28 U.S.C. § 1915(g). If the petitioner wishes to bring this action in the future, he should obtain new forms for doing so from the Clerk's Office in Columbia (901 Richland Street, Columbia, South Carolina 29201).